

**Zoning Bylaws  
of the  
Town of  
Braintree**

COUNTY OF NORFOLK  
COMMONWEALTH OF MASSACHUSETTS

SERIAL NO. ....**2**.....

GENERAL CODE PUBLISHERS CORP.  
72 Hinchey Road  
Rochester, NY 14624

2003



## **ZONING BYLAWS**

### **ARTICLE I Purpose and Definitions**

- § 135-101. Purpose.**
- § 135-102. Definitions.**

### **ARTICLE II Administrative Provisions**

- § 135-201. Building Inspector.**
- § 135-202. Appeals to the Zoning Board of Appeal (for variance see § 135-407).**
- § 135-203. Special permits and site plan reviews (see Article V).**
- § 135-204. Zoning Board of Appeal.**
- § 135-205. Repetitive petitions.**
- § 135-206. Disposition of violations.**
- § 135-207. Notification of parties in interest.**

### **ARTICLE III General Regulatory Provisions**

- § 135-301. Districts established.**
- § 135-302. Use and structures to comply with density and use requirements.**
- § 135-305. Construction to commence or be subject to zoning amendments.**
- § 135-306. Lots in more than one district.**

### **ARTICLE IV Nonconforming Structures and Uses; Variances**

- § 135-401. Permit granting authority.**

- § 135-402. Continuation of nonconforming structures or uses.**

- § 135-403. Alterations or reconstruction of nonconforming structures or uses.**

- § 135-404. Abandonment.**

- § 135-405. Reversion to nonconforming status prohibited.**

- § 135-407. Variances.**

### **ARTICLE V Special Permits**

- § 135-501. Special permit granting authority (SPGA).**
- § 135-502. Site plan review requirement.**
- § 135-503. Special permit procedures.**
- § 135-504. Accessory uses for scientific research and development authorized as special permit.**

### **ARTICLE VI Permitted Uses in Districts**

- § 135-601. Table of Principal Uses.**
- § 135-602. Accessory uses; conditions.**
- § 135-603. Permitted accessory uses in residential districts.**
- § 135-604. Uses not considered accessory in residential districts (not allowed).**
- § 135-605. Accessory uses in business and commercial districts.**
- § 135-607. Establishment of fire districts.**
- § 135-608. Wetlands and Floodplain Protection Districts.**
- § 135-609. Watershed Protection District.**
- § 135-610. Cluster Zoning I, II, III.**

## BRAINTREE CODE

- § 135-611. (Reserved)
- § 135-612. Planned unit development regulations applying to Planned Unit Development (PUD) Districts.
- § 135-613. Village Zoning Overlay District.
- § 135-614. Conversion of convalescent home or nursing home.

### ARTICLE VII Area Regulations

- § 135-701. Table of Dimensional and Density Regulations.
- § 135-701. Notes.
- § 135-702. Landscaping and buffer zones.
- § 135-703. Additional front yard requirements.
- § 135-704. Frontage requirement.
- § 135-705. Multifamily dwellings.
- § 135-706. Preexisting lots.
- § 135-707. Corner lots.
- § 135-708. Open space.
- § 135-709. Height restrictions.
- § 135-710. Limitations on number of buildings for dwelling purposes on each lot.
- § 135-711. Site plan review (SPR) of multifamily, apartment, business and commercial developments.

### ARTICLE VIII Off-Street Parking and Loading

- § 135-801. Purpose.
- § 135-802. Applicability.
- § 135-803. Decreases in parking requirements.
- § 135-804. Multiple uses.

- § 135-805. Location of required off-street parking facilities.
- § 135-806. Schedule of off-street parking requirements.
- § 135-807. Submission of parking plan.
- § 135-808. Standards for parking facilities.
- § 135-809. Dimensions for parking spaces, bays, and aisles.
- § 135-810. Operation and maintenance of parking areas.
- § 135-811. Submission of landscaping plans.
- § 135-812. Landscaping requirements (see § 135-708).
- § 135-813. Construction standards.
- § 135-814. Off-street loading and unloading areas.
- § 135-815. Village Zoning District off-street parking and loading.

### ARTICLE IX Rules and Regulations for Signs

- § 135-901. Purpose.
- § 135-902. Definitions.
- § 135-903. Residential areas.
- § 135-904.1. General business area.
- § 135-904.2. Highway business area.
- § 135-904.3. Commercial area.
- § 135-904.4. Open space and conservancy areas.
- § 135-904.5. Special regulations for gasoline service stations and repair garages only.
- § 135-904.6. Village Zoning Overlay District: rules and regulations for signs.
- § 135-905. Illumination.
- § 135-906. Temporary signs.
- § 135-907. Construction.
- § 135-908. Administration.

## **ZONING BYLAWS**

- § 135-909. Nonconforming signs.
- § 135-910. Severability.
- § 135-911. Exemption.

### **ARTICLE X Service Stations; Trailers**

- § 135-1001. Service station; requirements.
- § 135-1002. Trailers; restrictions.

### **ARTICLE XI Environmental Performance Standards**

- § 135-1101. Establishment of standards.
- § 135-1102. Noise and vibration control.
- § 135-1103. Definitions.
- § 135-1104. Prohibited acts.
- § 135-1105. Sound levels by receiving land use.
- § 135-1106. Restrictions on noise emitted from construction sites.
- § 135-1107. Motor vehicles and motorcycles on public rights-of-way.
- § 135-1108. Enforcement.
- § 135-1109. Permits and exemptions.
- § 135-1110. Hearings.
- § 135-1111. Appeals.
- § 135-1112. Penalties.
- § 135-1113. Conflict with other regulations.
- § 135-1114. Severability.

### **ARTICLE XII Grading Regulations, Quarry Operations and Erosion Control Regulations**

- § 135-1201. Grading regulations.
- § 135-1202. Quarry operations.
- § 135-1203. Erosion control regulations.

- § 135-1204 and 135-1205. (Deleted by amendment)

### **ARTICLE XIII Adult Entertainment/Bookstore/Video Store/Motion-Picture Establishments**

- § 135-1301. Purpose.
- § 135-1302. Definitions.
- § 135-1303. Restrictions.
- § 135-1304. Applications
- § 135-1305. Rules and regulations.
- § 135-1306. Additional requirements.
- § 135-1307. Criteria for approval.
- § 135-1308. Accessory use.
- § 135-1309. (Deleted by amendment)
- § 135-1310. Amenities.

### **ARTICLE XIV Rules and Regulations for Traffic**

- § 135-1401. Purpose.
- § 135-1402. Definitions.
- § 135-1403. Applicability.
- § 135-1404. Traffic study.
- § 135-1405. Traffic capacity.
- § 135-1406. Intermunicipal coordination.
- § 135-1407. Compliance.
- § 135-1408. Waiver of the regulations.
- § 135-1409. Separation.

### **ARTICLE XV Zoning Amendments**

- § 135-1501. Amendments.
- § 135-1502. Submission requirements.
- § 135-1503. Submission of proposed amendment to Planning Board.
- § 135-1504. Public hearings on proposed amendments.
- § 135-1505. Defects in notice.

- |   |  |
|---|--|
| <p>§ 135-1506. Submission of report of Planning Board prior to vote; failure to adopt proposed amendment within time limit.</p> <p>§ 135-1507. Required vote for adoption.</p> <p>§ 135-1508. Limitations on reintroduction of defeated amendments.</p> <p>§ 135-1509. Submission of materials to Attorney General.</p> <p>§ 135-1510. Effect on other legislation.</p> <p>§ 135-1511. Validity; limitations on claims of invalidity.</p> | <p>§ 135-1602. Definitions.</p> <p>§ 135-1603. Jurisdiction.</p> <p>§ 135-1604. Application for special permit.</p> <p>§ 135-1605. Findings.</p> <p>§ 135-1606. Accessory buildings.</p> <p>§ 135-1607. Use of Town land.</p> <p>§ 135-1608. Abandonment/repair.</p> <p>§ 135-1609. Annual certification.</p> <p>§ 135-1610. Exemptions.</p> <p>§ 135-1611. Filing fees.</p> |
|---|--|

Appendix Sketches B to E  
Table of Principal Uses  
Table of Dimensional and  
Density Regulations

ARTICLE XVI  
Wireless Communication Facilities

§ 135-1601. Purpose.

**[HISTORY: Adopted by the Town Meeting of the Town of Braintree. Amendments noted where applicable.]**

---

ARTICLE I  
Purpose and Definitions  
[Amended 10-1992 STM by Art. 11]

§ 135-101. Purpose.

This chapter is hereby established for the following purposes: to promote the health, safety, convenience and welfare of the Town's inhabitants; to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; to encourage housing for persons of all income levels; to facilitate the adequate provision of transportation, water, sewerage system, schools, parks, open space and other public requirements; to conserve the value of lands and buildings; to encourage the most appropriate use of land throughout the Town; to conserve natural resources; to prevent blight and pollution of the environment; and to preserve and increase its amenities.